

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
(Baltimore Division)

JOHN JONES,

*

DAN DOE,

*

Plaintiffs,

*

Civil Action No. _____

v.

*

(Removed from Circuit Court for
Baltimore County, Maryland, Case
No. C-03-CV-23-004114)

*

UNIVERSITY OF MARYLAND
BALTIMORE COUNTY,

BOBBIE HOYE,

WHITNEY AMES,

Defendants.

* * * * *

NOTICE OF REMOVAL

Defendants University of Maryland Baltimore County (the “University”), Bobbie Hoye¹ and Whitney Ames, by and through undersigned counsel, pursuant to 28 U.S.C. §§ 1331 and 1441, hereby remove to this Court a civil lawsuit filed by Plaintiffs John Jones and Dan Doe in the Circuit Court for Baltimore County, Maryland, Case No. C-03-CV-23-004114. Without admitting any of the allegations of the complaint, Defendants’ grounds for removing this action are as follows:

1. On or about October 12, 2023, Plaintiffs filed a lawsuit against Defendants in the Circuit Court for Baltimore County, Maryland, in which Plaintiffs assert the following federal causes of action: a violation of Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681, *et seq.* (Count I); a violation of the Equal Protection Clause under 42 U.S.C. § 1983 (Count II); and a violation of the Constitutional right to bodily integrity under 42 U.S.C. § 1983 (Count

¹ Plaintiffs incorrectly refer to Bobbie Hoye as “Bobbi” Hoye in their Complaint.

III). Plaintiffs also assert various claims under Maryland law in Counts IV through X of their Complaint. Plaintiffs' Complaint is attached hereto as Exhibit 3.

2. Under 28 U.S.C. § 1331, the district courts "have original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States." Therefore, this Court has original jurisdiction over the federal causes of action asserted in the complaint. The Court has supplemental jurisdiction over the state law causes of action pursuant to 28 U.S.C. § 1337.

3. Because this Court has original jurisdiction under 28 U.S.C. § 1331, this action may be removed to this Court pursuant to 28 U.S.C. § 1441(a).

4. This Notice of Removal is timely under 28 U.S.C. §1446(b)(1) because it is filed within 30 days after the earliest service of the complaint.²

5. All Defendants are joining in and consent to removal.

6. In accordance with 28 U.S.C. § 1446(a) and Local Rule 103.5(a), Defendants are attaching, as exhibits to this Notice of Removal, true and legible copies of all process, pleadings, documents, and orders which have been served on Defendants. Specifically, Defendants are attaching the following:

Exhibit 1 – Docket Entries - Circuit Court for Baltimore County

Exhibit 2 – Civil Case Information Sheet

Exhibit 3 – Complaint

Exhibit 4 – Line to Issue Summons

Exhibit 5 – Writ of Summons – University of Maryland

Exhibit 6 – Writ of Summons – Hoye

Exhibit 7 - Writ of Summons – Ames

Exhibit 8 – Motion to Proceed Under Pseudonym and Request for Hearing

Exhibit 9 – Proposed Order to Motion to Proceed Under Pseudonym

Exhibit 10 – Entry of Appearance of Levi Zaslow

² On November 1, 2023, the Office of the Attorney General accepted service of Plaintiffs' Complaint with respect to all claims asserted therein *except* any tort claims against the University, which must be served on the Maryland State Treasurer in accordance with the Maryland Tort Claims Act. *See* Md. Code Ann., State Gov't § 12-108. To date, Plaintiffs have not served their tort claims on the Treasurer.

Exhibit 11 – Line to Issue Summons to State Treasurer

7. A copy of this Notice of Removal will be served upon Plaintiffs through their counsel of record and filed with the Clerk of the Court for the Circuit Court for Baltimore County, Maryland.

WHEREFORE, Defendants move that the lawsuit now pending against them in the Circuit Court for Baltimore County, Maryland (Case No. C-03-CV-23-004114) be removed therefrom to this Court.

Respectfully submitted,

ANTHONY G. BROWN
Attorney General of Maryland

/s/ Lillian L. Reynolds

LILLIAN L. REYNOLDS
Federal Bar No. 30225
ARIEL S. LICHTERMAN
Federal Bar No. 20850
Assistant Attorneys General
Office of the Attorney General
200 Saint Paul Place, 17th Floor
Baltimore, Maryland 21202
lreynolds@oag.state.md.us
alichterman@oag.state.md.us
(410) 576-6481
(410) 576-6437 (facsimile)

December 1, 2023

*Attorneys for Defendants University of
Maryland Baltimore County, Bobbie Hoye,
and Whitney Ames*